

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ORACLE AMERICA, INC.,	)	Case No.: 11-CV-01043-LHK
	)	
Plaintiff,	)	ORDER GRANTING IN PART
v.	)	ADMINISTRATIVE MOTION TO FILE
	)	UNDER SEAL
INNOVATIVE TECHNOLOGY	)	
DISTRIBUTORS, LLC,	)	(re: dkt. #53)
	)	
Defendant.	)	
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This case involves a multi-million dollar contract dispute between Plaintiff Oracle America, Inc. (“Oracle”) and Defendant Innovative Technology Distributors, LLC (“ITD”). Aside from that central contract dispute, Oracle has moved to disqualify certain counsel associated with ITD. In connection with its opposition to the motion to disqualify counsel, ITD moves to file under seal certain documents identified as Exhibits A through I to the Declaration of Jason Halper. *See* Dkt. #53. Oracle considers the documents at issue “confidential,” and although in the possession of ITD, requested that the documents be filed under seal.

Aside from Exhibit G, which Oracle now concedes is not sealable as information “privileged or protectable as a trade secret or otherwise entitled to protection under the law,” the Court finds that good cause exists to permit the filing of the documents at issue under seal. *See* Civ. L.R. 79-5; *see also Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir.

2006) (a showing of good cause will suffice to justify the sealing of material attached to non-dispositive motions). The documents consist entirely or substantially of highly confidential, proprietary and trade secret information of what Oracle describes as “high level business strategy discussions.”

Accordingly, the Court GRANTS the administrative motion to file under seal Exhibits A-F, H, and I (but not G) to the Declaration of Jason Halper.

**IT IS SO ORDERED.**

Dated: June 28, 2011

  
LUCY H. KOH  
United States District Judge